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**ORDINANCE NO.**

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**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE FOURTH AMENDMENT TO THE CONSENT AGREEMENT WITH THE NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1 TO ESTABLISH A MONTHLY CREDIT ON WATER AND WASTEWATER BILLS FOR CERTAIN CUSTOMERS; AMENDING ORDINANCE NO. 20050912-004 TO ESTABLISH THE WATER, AND WASTEWATER CREDIT; AND WAIVING THE REQUIREMENTS OF CITY CODE SECTION 2-5-2 RELATING TO ECONOMIC IMPACT STATEMENTS, SECTION 2-5-45 RELATING TO A RATE CHANGE PUBLIC HEARING, SECTION 15-9-4 RELATING TO PUBLIC NOTICE OF A PROPOSED RATE OR CLASSIFICATION CHANGE, AND SECTION 25-9-253 RELATING TO BOARD AND COMMISSION REVIEW.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The City Council authorizes the City Manager to negotiate and execute a Fourth Amendment to the Agreement Concerning Creation and Operation of the Northwest Austin Municipal Utility District No. 1 (Amendment to Consent Agreement) in substantially the form attached as shown in Attachment 1.

**PART 2.** The council amends the Fiscal Year 2005-06 Fee Schedule, Exhibit "A" of Ordinance No. 20050912-004 to amend the current rate credit for Northwest Austin Municipal Utility District No. 1 in the Austin Water Utility fee schedule to read:

**Northwest Austin MUD No. 1 [Water and Wastewater] Rate Credit**

Each single-family residential customer located within the Northwest Austin Municipal Utility District No. 1 receives a monthly adjustment subtracting **\$37.68** [~~\$35.33~~] from their water and wastewater bills. If the individual customer's monthly total of the water and wastewater bill is less than **\$37.68** [~~\$35.33~~], no carryover shall be allowed. This adjustment will continue until the current bond indebtedness of the District is retired or September 1, 2026, whichever is earlier.

**PART 3.** The rates in this ordinance take effect on the first billing cycle after the parties have executed the Amendment to the Consent Agreement.

1 **PART 4.** In adopting the rates in this ordinance, the council waives the requirements of  
2 City Code Section 2-5-2 (*Economic Impact Statement*), City Code Section 2-5-45 (*Public*  
3 *Hearing on Determination of City Utility and Garbage Rates*), City Code Section 15-9-4  
4 (*Changes to Rate Schedule or Classification*), and City Code Section 25-9-253 (*Board*  
5 *and Commission Review; Council Action*).  
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7 **PART 5.** This ordinance takes effect on June 18, 2006.  
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12 **PASSED AND APPROVED**

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16 \_\_\_\_\_, 2006.

17 \_\_\_\_\_  
18 Will Wynn  
19 Mayor

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21 **APPROVED:** \_\_\_\_\_

22 David Allan Smith  
23 City Attorney

24 **ATTEST:** \_\_\_\_\_

25 Shirley A. Brown  
26 City Clerk